

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT E. KING II,

NO. CIV. S-05-404 LKK/PAN

Plaintiff,

v.

O R D E R

BIMBO BAKERIES, USA,

Defendant.

_____/

In an order filed May 9, 2005, the court ordered plaintiff's counsel to show cause in writing why sanctions should not issue for failure to file a status report ten (10) days prior to the status conference scheduled for May 2, 2005. The court is in receipt of plaintiff's counsel's response.

No good cause being shown, counsel for plaintiff is SANCTIONED in the amount of one hundred and fifty (\$150.00) dollars. This sum shall be paid to the Clerk of the Court no later than thirty (30) days from the effective date of this order. Counsel shall file an affidavit accompanying the payment of this sanction which states

1 that it is paid personally by counsel, out of personal funds, and
2 is not and will not be billed, directly or indirectly, to the
3 client or in any way made the responsibility of the client as
4 attorneys' fees or costs.

5 Plaintiff's counsel also informs the court that the new Status
6 Conference date and time (July 25, 2005 at 10:30 a.m.) presents a
7 scheduling conflict for her. Accordingly, the Status Conference
8 is CONTINUED to August 8, 2005 at 3:00 p.m.¹ The parties are
9 reminded of their obligation to file status reports ten (10) days
10 prior to the conference as required by Local Rule.

11 Counsel for plaintiff shall SERVE a copy of this order on
12 defendants with service of process or, if already served, where
13 service of process was effected.

14 IT IS SO ORDERED.

15 DATED: May 26, 2005.

16 /s/Lawrence K. Karlton
17 LAWRENCE K. KARLTON
18 SENIOR JUDGE
19 UNITED STATES DISTRICT COURT
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24 ¹ The court admonishes plaintiff's counsel that it would not
25 ordinarily entertain such requests to continue a Status Conference,
26 especially one that has already been rescheduled due to counsel's
lack of diligence. Plaintiff's counsel should also note that no
further requests to continue the Status Conference will not be
entertained.